

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

|                        |   |                             |
|------------------------|---|-----------------------------|
| JOSEPH LAWRENCE CURRY, | ) |                             |
|                        | ) |                             |
| Plaintiff,             | ) |                             |
|                        | ) | Civil Action No. 04-175-JJF |
| v.                     | ) |                             |
|                        | ) |                             |
|                        | ) |                             |
| GREGORY HOPKINS,       | ) |                             |
|                        | ) |                             |
| Defendant.             | ) |                             |
|                        | ) |                             |

**STIPULATION TO AMEND THE SCHEDULING ORDER,  
EXTENSION OF TIME FOR RESPONSES TO PENDING MOTIONS AND  
REQUEST RULE 16 SCHEDULING CONFERENCE**

By order of March 25, 2008, this Court set a deadline of June 25, 2008, for the conduct of fact discovery by Plaintiff (D.I. 142). On June 16, 2008, Plaintiff filed a Motion to Compel under Rule 45 (D.I. 158) and on June 20, 2008, Plaintiff filed a Motion for Relief under Rule 37 (D.I. 160), each pertaining to outstanding discovery requests. Since that time, the parties have conferred and reached an agreement on the matters in dispute, and accordingly stipulate to an extension of the time for fact discovery to August 15, 2008. Should Defendant produce responses to all outstanding discovery requests by that time, Plaintiff shall withdraw the aforesaid motions. The parties further stipulate that, if then necessary, the Defendant's responses to the aforesaid motions shall be filed by August 18, 2008 and Plaintiff's replies shall be filed by August 25, 2008. Finally, the parties respectfully request a Rule 16 Scheduling Conference with

the Court at the Court's convenience to advance resolution of this case, and respectfully request that the Court grant this stipulation.

Dated: June 27, 2008

Respectfully submitted,

/s/ Daniel Griffith

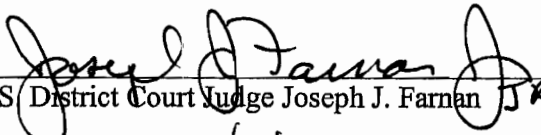
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*Attorneys for Plaintiff*

WHEREAS the Court, for good cause shown, hereby grants the parties' foregoing stipulation, and NOW THEREFORE, IT IS ORDERED THAT:

1. The deadline for the completion of fact discovery is extended from June 25, 2008 to August 15, 2008;
2. The Defendant's responses to the Plaintiff's pending motions (D.I. 158, 160) shall be filed by August 18, 2008 and Plaintiff's replies thereto shall be filed by August 25, 2008.
3. A Rule 16 Scheduling Conference shall be held by teleconference TBD, 2008, at \_\_\_\_\_.

  
U.S. District Court Judge Joseph J. Farnan  
7/1/08